

3757. Adulteration of tomato pulp. U. S. v. 200 Cases * * * Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6016. I. S. No. 212-k. S. No. E-135.)

On October 20, 1914, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing 4 dozen cans of tomato pulp, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the product had been shipped on or before September 3, 1914, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Bridgeton Brand Tomato Pulp, Made from Tomatoes and Tomato Trimmings, Clinton B. Ayars Canning Co., Bridgeton, New Jersey. Guaranteed by Clinton B. Ayars Canning Co., Under the Food and Drugs Act of June 30, 1906. Serial No. 30459. Always empty contents in glass or earthenware dish as soon as opened. Contents 10 oz."

Adulteration of the product was alleged in the libel for the reason that it consisted wholly or in part of a decomposed vegetable substance.

On October 30, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture*.

WASHINGTON, D. C., *April 24, 1915.*